



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: T. WALLIMANN et al.

Confirmation No.: 4809

Serial No.: 09/769,404

Art Unit: 1617

Filed: January 26, 2001

Examiner: S. Wang

For: METHODS OF TREATING BONE OR
CARTILAGE CONDITIONS BY THE
ADMINISTRATION OF CREATINE

Attorney Docket No.: 8932996

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**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Mail Stop AF
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated March 25, 2003 of the Primary Examiner finally rejecting claims 1-3, 7, 13, 14, 19-24, and 28-30 of the above-identified application.

The item(s) checked below are appropriate:

1. An extension of time for responding to the final rejection for 1 month:
 was filed on
 is submitted herewith.
2. A timely response to the final rejection has been filed.
3. A fee in the amount of \$320.00 is:
 Required.
 Not required (Fee paid in prior appeal).
4. Applicant has qualified for the 50% reduction in fee for an independent inventor, non-profit organization or small business concern and a fee in the amount of \$160.00 is:
 Required.
 Not required (Fee paid in prior appeal).
5. Please charge the required fee, if any, to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

Respectfully submitted,

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Reg. No. 46,702
Reg. No. 35,340

Date: July 13, 2003

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